

Ade Brown SR# 884273

In the United States District Court
FOR THE WESTERN DISTRICT OF MICHIGAN

FILED - GR

September 12, 2016 12:57 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: mkc SCANNED BY mec9/14/16

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

v. Jessica Perry, James Kissinger, Charlene Harganbury,
Mary Hickey, Margaret Brown, Cheif Psyc,
Carla Monestere, Mr. H (Ostrander), Tony Treweiler

(Enter above the full name of the defendant or defendants in this action.)

1:16-cv-1117

Gordon J Quist - U.S. District Judge
Phillip J Green - Magistrate Judge

COMPLAINT

I. Previous Lawsuits

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the required \$350 filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$350 filing fee regardless whether your complaint is dismissed.

A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes No

B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.

1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

Western District, 344 Federal Building, U.S. District Court
Grand Rapids, MI, 49503, 110 Michigan Street

2. Is the action still pending? Yes No

a. If your answer was no, state precisely how the action was resolved: _____

3. Did you appeal the decision? Yes No N/A

4. Is the appeal still pending? Yes No N/A

a. If not pending, what was the decision on appeal? N/A

5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes No

If so, explain: _____

II. Place of Present Confinement 1576 W. Blue Water Hwy, ICF, Ionia, MI, 48846

If the place of present confinement is not the place you were confined when occurrence that is subject of instant lawsuit arose, also list the place you were confined: 1576 W. Blue Water Hwy

Bellamy Creek, Ionia, MI, 48846

III. Parties

A. Plaintiff(s)

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Ade Brown SR #884273

Address ICF, 1576 W. BlueWater Hwy, Ionia, MI, 48846

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Perry

Position or Title Psyc/MA

Place of Employment IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

Official and/or personal capacity? Both

Name of Defendant #2 James Kissinger

Position or Title Psyc/MA

Place of Employment IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

Official and/or personal capacity? Both

Name of Defendant #3 Charlene Haraburda

Position or Title Psyc/MA

Place of Employment IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

Official and/or personal capacity? Both

Name of Defendant #4 Margaret Hickey

Position or Title Psyc/MA

Place of Employment IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

Official and/or personal capacity? Both

Name of Defendant #5 Marylyn Brown

Position or Title Psyc/MA

Place of Employment IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

Official and/or personal capacity? Both

III Parties

Name of Def. #6 Chief Psyc

position or title Psyc/MA

Place of employment IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

official/personal capacity Both

Name of Def #7 Carla Monestere

position or title Psyc/MA

place of employment IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

official/personal capacity Both

Name of Def #8 Mr. H. (ostranda)

position or title PSYC/MA/MSW

place of emp. IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

official/personal capacity Both

Name of Def #9 Tony Reineler

position or title Warden

place of emp. IBC

Address 1727 W. BlueWater Hwy, Ionia, MI, 48846

official/personal capacity Both

IV.

Statement of Claim

State here, as briefly as possible, the facts of your case. Describe how each defendant is personally involved. Include also, the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

I want to file a deliberate and indifference claim under 8th amendment on JBC's mental health department. For 6 straight months while in Ad-seg I was denied mental health treatment and medication. Around 10-5-15, I started telling mental health letting them know of the depression, anxiety, and voices I was hearing in my head. ^{Ad-seg was making me worse.} As being diagnosed with numerous illnesses ^(Schizophrenia, Bipolar added) and disabilities before coming to prison I wanted to complete treatment. On 10-20-15, I was pulled out of my cell and seen by Psyc Brown. At that time I explained to her about the voices and depression I was facing. She talk to me but didn't do anything. I also seen her on 11-5-2015 and I stated my concerns. Again she refuse to help me. I also start seeing a guy who said his name was Mr. H. who was evaluating me but refuse to admit me to Opt mental health. He stop responding to my kites and coming to see me. I wrote kites and filed grievances on being denied Mental Health from 10/15 until 3/2016. I also was seen by psyc Carla who refuse to help me after she responded to my mental health grievance. In December I was seen by psyc Hicks who I told I wanted psyc services because of my depression and other illnesses. On January 3 2016 I tried to commit suicide by taking 12 psychiatric pills I received from a friend. I was placed on suicide watch for a week and a half were psyc Perry was my psyc. I explained to him that I was suicidal and I needed medication to help me cope with life. I told her how I keep getting in trouble with staff and my behavior is based on my disabilities. Just like the other psycs she refuse to believe me even after reading my PSI which states I have Adhd and have been on and off drugs and have behavior and mental issues. Around 1-11-16 I was seen by Kissinger while still on suicide. I told him how I was depressed, couldn't sleep and having many nightmares just as I did with the other psycs. Around 2-17-16 I talk to a guy name Ostrandel who also refuse to help and acknowledge. Now prior to this time I had already

Claim Continued

put in atleast 6 or 7 grievances on Mental Health. And still was not offered medication. My kites stop getting responded to and I was left suffering mentally and physically. My last evaluation was by Haraburda in March 2016 I told her of my nightmares, depression, anxiety, all my illnesses and the ability to recognize reality. She said she would help me but ~~didn't~~. I even had the Legislative ombudsman come and try to help. I attempted to commit suicide, each psyc knew of my condition all sitting and seg was harming my health. Because they did not help me I caught a lot of tickets, I was transferred to Level 5 where ~~I was still suffering from~~ receiving ~~coop~~ treatment. This went on for 6 months so I find each psyc was deliberate to my mental illness. I even talked to the Chief psyc who refuse to do anything. Psycs all laughed at me during interviews, refuse to respond to my kites or grievances then Transferred me to Level 5. Also I explained I had schizophrenia and Bipolar to the Warden also and that Ad-seg was making my conditions worse.

I also want to file an equal protection discrimination claim, under the 14th amendment on each of these psycs, I was not treated equally like other people who was receiving Opt Mental Health. Psycs were telling me Im to young for medication or they would review my file and tell me I have major behavior issues so they're not going to help me. I was the only prisoner in seg who was not receiving any treatment because they didn't like me.

V. Relief

State briefly and precisely what you want the court to do for you. ~~\$90,000~~

I would like the courts to grant me ~~repercussions~~ in compensatory damages on each defendant ^{psyc} for my pain and suffering and I would also like ~~to sue~~ ^{120,000} on each def. in punitive damages for not helping me receive medication when they knew I needed it. So far being deliberate indifference to my needs.

I also would like the courts to grant me \$25,000 on each def. for discriminating against me and not treating me equally like other prisoners and allowing me opt services. ~~I also seek injunctive relief and orders to make the psycs here work with me into a program and I can opt because I am not~~
~~because we keep here at level 5 they release to level 4 to take my~~
~~waiver and then release at level 4 to take my~~
~~waiver and then release at level 4 to take my~~

8-27-16

Date

Ade Brown

Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a pro se litigant to keep the court apprised of an address change may be considered cause for dismissal.

relief continued

I ask \$5,000 in ^{compensatory} and punitive damages against Warden for deliberately transferring me to Level 5 Ab-Seg when knowing of my diagnoses and condition. I ask for \$500 per day in Nominal damages against psycs for each day I was in segregation after psycs became aware of my illness at IFC if compensatory damages are not awarded. I ask Warden for injunctive relief to exclude all major and minor misconduct off my file I caught while at their facility due to illness. I ask the Warden there to have the Warden here reduce my custody level and points level back to level 4 and send me to an outpatient level 4 program. I ask the Warden to waive my L.O.P and sanctions I caught them as a result of my disability. I ask injunctive relief on each psyc to also waive my misconducts as incompetent and to submit proper paperwork to Warden for this. Also that both psycs and Warden contact the psycs and Warden at my new facility and get any misconduct L.O.P or tickets I received here waived before being put on OPT here. And that they have the Warden and psycs here re-submit my proper Healthcare and PER report in my files so the parole board can see.

8-27-16

Date

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Ade Brown

(Last Revised: February 2009)

signature of Plaintiff

Ade Brown SR #884273

ICF

1576 W. BlueWater Hwy

Ionia, MI, 48846

10/2016

10/2016

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U.S. District Court
399 Federal Building

110 Michigan N.W.

Grand Rapids, MI, 49503

